

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Andrew Wollin,

Court File No. _____

Plaintiff,

-vs-

NOTICE OF REMOVAL

Digi-Key Corporation,

Defendant.

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Digi-Key Corporation (“Digi-Key”) files this Notice of Removal to remove an action pending in the Minnesota District Court, Ninth Judicial District, Pennington County, to the United States District Court for the District of Minnesota. Removal is proper because this Court has original jurisdiction over Plaintiff’s claim, which arises under the Family Medical Leave Act.

BACKGROUND

1. On April 25, 2024, Plaintiff commenced an action against Digi-Key captioned *Andrew Wollin v. Digi-Key Corporation*, by serving a Summons and Complaint (“Complaint”) on Digi-Key. The Complaint is attached as **Exhibit A**.

2. The Complaint asserts a Family Medical Leave Act (“FMLA”) discrimination claim against Defendant

3. Digi-Key denies the allegations contained in Plaintiff’s Complaint and files this Notice of Removal without waiving any defenses thereto.

TIMELINESS OF REMOVAL

4. Digi-Key was served notice of this action on April 25, 2024.

5. Defendant's Notice of Removal is timely filed under 28 U.S.C. § 1446(b) because it is being filed within thirty (30) days after service upon Digi-Key of the Summons and Complaint.

6. In addition, the date on or before which Digi-Key is required to file responsive pleadings to Plaintiff's Complaint has not lapsed.

GROUND FOR REMOVAL

7. This court has original jurisdiction over claims arising under federal law. 28 U.S.C. § 1331. Here, removal is proper because Plaintiff brings a claim under Family Medical Leave Act, 29 U.S.C. § 2615(a)(2). **Exhibit A.**

8. The United States District Court for the District of Minnesota is the federal judicial district encompassing the Minnesota District Court, Ninth Judicial District, Pennington County, where this suit was originally filed. Therefore, this Court is a proper venue for this action pursuant to 28 U.S.C. § 1441(a).

9. Defendant will promptly serve notice of filing of this Notice of Removal on Plaintiff, and Defendant will promptly file a copy of this Notice of Removal with the Minnesota District Court, Ninth Judicial District, Pennington County, as required by 28 U.S.C. § 1446(d). Defendant will file with this Court a file-stamped copy of the Notice of Removal to Federal Court.

10. The Summons and Complaint are attached as **Exhibit A**. The remaining state court file is attached as **Exhibit B**.

11. A civil cover sheet is attached as **Exhibit C**.

CONCLUSION

Defendant respectfully requests that the action now pending against it in State Court be removed to the United States District Court for the District of Minnesota.

Dated: May 16, 2024.

/s/ Kelly M. Maxwell

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